

Memo: Objection (a "Response") Case Number: 24-11649 (CTG)

Claim #: 10805

Attention: Office of the Clerk of the Court
824 North Market Street, 3rd Floor
Wilmington, Delaware 19801

RECEIVED
2025 JAN -7 PM 12:07
CLERK
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

and

Attn: Mark D. Collins (collins@rlf.com), Jason M. Madron (madron@rlf.com) and Zachary J. Javorsky (javorsky@rlf.com)

Case Number: 24-11649 (CTG)

Title of the Objection: Second Omnibus Objection (Substantive) – Reclassify

Name of Claimant: CAO, HUY M

Description of the basis Reclassified Claim: \$20,400

Reason why for Reclassified Claim should not be disallowed:

According to the Debtors' Book and Records the liability asserted as priority status under 11 U.S.C 507 (a) has no legal basis as the goods were not received within the 20 days preceding the petition date.

The above reason was unreasonably required dates to since I filled for this Claim right away upon finding that Sunpower Corporation was going out of business and that I was just signed up with Sunpower for my house roof Solar Panels. I had to do some research to find the correct links and fill out the forms. See attached documents for Proof of Claims and Documents received after the Filling of the Claim.

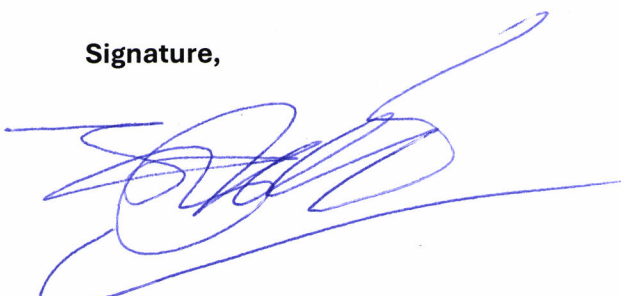
Claimant or a legal representative:

Name: CAO, HUY M

Address: 7135 Eagle Canyon Rd NE, Albuquerque, NM 87113

Phone: 518-836-8221

Signature,



Huy M. Cao
12/30/2024

United States Bankruptcy Court for the District of Delaware	
Name of Debtor: SunPower Corporation Case Number: 24-11649	For Court Use Only Claim Number: 0000010805 File Date: 10/08/2024 13:03:23

Proof of Claim (Official Form 410)

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. With the exception of 503(b)(9), do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503. Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571. **Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.**

04/22

Part 1: Identify the Claim	
1. Who is the current creditor? Name of the current creditor (the person or entity to be paid for this claim): <u>Huy M. Cao</u> Other names the creditor used with the debtor: _____	
2. Has this claim been acquired from someone else? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	
Where should notices to the creditor be sent? Name <u>Huy M. Cao</u> Address <u>7135 Eagle Canyon Rd NE</u> _____ City <u>Albuquerque</u> State <u>NM</u> ZIP Code <u>87113</u> Country (if International): <u>United States of America</u> Phone: <u>5188368221</u> Email: <u>huycao01@gmail.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Address _____ _____ City _____ State _____ ZIP Code _____ Country (if International): _____ Phone: _____ Email: _____
4. Does this claim amend one already filed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims register (if known) _____ Filed on _____ <div style="text-align: center;">MM / DD / YYYY</div>	5. Do you know if anyone else has filed a proof of claim for this claim? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?

☒ No

☐ Yes.

Last 4 digits of the debtor's account or any number you use to identify the debtor:

7. How much is the claim?

\$ undetermined

Does this amount include interest or other charges?

☐ No

☒ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim?

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.

Purchase Agreement

9. Is all or part of the claim secured?

☒ No

☐ Yes. The claim is secured by a lien on property.

Nature of property:

☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (official Form 410-A) with this *Proof of Claim*.

☐ Motor vehicle

☐ Other. Describe:

Basis for perfection:

Attach redacted copies of documents, if any, that show evidence of perfection of security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$

Amount of the claim that is secured: \$

Amount of the claim that is unsecured: \$

(The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$

Annual Interest Rate (when case was filed) %

☐ Fixed ☐ Variable

10. Is this claim based on a lease?

☒ No

☐ Yes. **Amount necessary to cure any default as of the date of petition.**

\$

11. Is this claim subject to a right of setoff?

☒ No

☐ Yes. Identify the property:

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

☒ No

☐ Yes. *Check one:*

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

☐ Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☐ Other. Specify subsection of 11 U.S.C. § 507 (a) () that applies.

* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

Amount entitled to priority

\$

\$

\$

\$

\$

\$

13. Does this claim qualify as an Administrative Expense under 11 U.S.C. § 503(b)(9)?

☐ No

☒ Yes. **Amount that qualifies as an Administrative Expense under 11 U.S.C. § 503(b)(9):** \$ 20,400.00

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☒ I am the creditor.
- ☐ I am the creditor's attorney or authorized agent.
- ☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- ☐ I am a guarantor, surety, endorser, or other co-debtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Huy M. Cao

10/08/2024 13:03:23

Signature

Date

Provide the name and contact information of the person completing and signing this claim:

Name Huy Cao

Address 7135 Eagle Canyon Rd NE

City Albuquerque

State NM Zip 87113

Country (in international) United States of America

Phone 5188368221

Email huycao01@intel.com



New Mexico
 csanm@csaelectrical.net
 480 289 0627
 575 640 1003



INVOICE

Name: Huy Cao

Date: 08/16/2023

Invoice No. 1985

ITEM	QTY.	DESCRIPTION	PRICE	AMOUNT
1st Payment		Due at the time of contract signing	\$2,000.00	PAID \$2,000.00
2nd Payment		Due after plans are approved	\$10,200.00	PAID \$10,200.00
Install Payment		Due after installation	\$6,120.00	PAID \$6,120.00
Final Payment		Due after inspections are approved	\$4,080.00	PAID \$4,080.00
		Critter guard	\$650.00	PAID \$650.00
TOTAL				Paid in Full \$23,050.00

Amount in words _____

Customer's Signature

Alejo Aldaz Jr.
CSA ELECTRIC



New Mexico
 csanm@csaelectrical.net
 480 289 0627
 575 640 1003

INVOICE

Name: HUY CAO

Date: 07/18/2023

Invoice No. 23-10364

ITEM	QTY.	DESCRIPTION	PRICE	AMOUNT
1	17	(3) SPR-M415-BLK-H-AC MODULES	1,200.00	20,400.00
		LABOR		2000.00
TOTAL				22,400.00

Amount in words _____

 Customer's Signature

Steven Telles

CSA ELECTRIC

